

ZB# 04-49

John White

77-2-20

ZBA #04-49 JOHN WHITE (AREA)
2714 COLONIAL DR. (77-2-20)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Approved 8-9-04

John White

567-1418



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695**

OFFICE OF THE ZONING BOARD OF APPEALS

October 26, 2004

John White
2714 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-49

Dear Mr. White:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 77-2-20

In the Matter of the Application of

JOHN & NICHOLE WHITE

MEMORANDUM OF
DECISION GRANTING

AREA

CASE #04-49

WHEREAS, John White , owner(s) of 2714 Colonial Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 5 ft. Rear Yard Setback for proposed in-ground pool with 4 ft. fence (48-21-G-1) at 2714 Colonial Drive in an R-3 Zone (77-2-20)

WHEREAS, a public hearing was held on August 9, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) In erecting the pool, no trees or substantial vegetation will be removed.
 - (c) The pool will not divert the flow of water drainage nor create the ponding or collection of water.

- (d) The pool will not interfere with any easements, including but not limited to, water, sewer and utility easements.
- (e) The applicant seeks a rear yard variance so that the pool may be located a sufficient distance from the house to allow for the safety of residents of the house. It is the expressed desire of the New Windsor Building Department that the pool should be located at least ten feet from the house.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

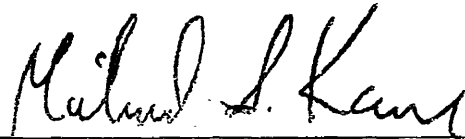
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 5 ft. Rear Yard Setback for proposed in-ground pool with 4 ft. fence (48-21-G-1) at 2714 Colonial Drive in an R-3 Zone (77-2-20) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: August 9, 2004

A handwritten signature in black ink, appearing to read "Michael S. Kaur", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: April 30, 2004

**APPLICANT: John & Nichole White
2714 Colonial Drive
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/26/04

FOR : Proposed in-ground pool / 4ft. fence

LOCATED AT: 2714 Colonial Dr.

ZONE: R-3 Sec/Blk/ Lot: 77-2-20

DESCRIPTION OF EXISTING SITE: Existing one-family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Proposed in-ground pool with 4ft. fence will not meet minimum 10ft. rear yard set-back.**


BUILDING INSPECTOR

COPY

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: 48-21-G-1 Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

10'

5'

5'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

04-49

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

APR 26 2004

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:

Building Permit # 2004-562

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises John A. + Nichol M. White

Address 2714 Colonial Dr. New Windsor N.Y. Phone # 845 567.1418

Mailing Address SAME Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor Stephen Shephard
Address 27 Sunrise Hill Rd Fishkill N.Y. Phone 845 896 6314

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the North side of Colonial Drive
and 600 ^(N, S, E or W) feet from the intersection of Irving Avenue

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N X

3. Tax Map Description: Section 77 Block 2 Lot 20

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy Swimming

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? NO

Underground pool / 4' fence

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost 17,200 Fee \$50

ZONING BOARD

CH# 2458

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

John A. White
(Signature of Applicant)

2714 Cabot Dr New Windsor
(Address of Applicant)

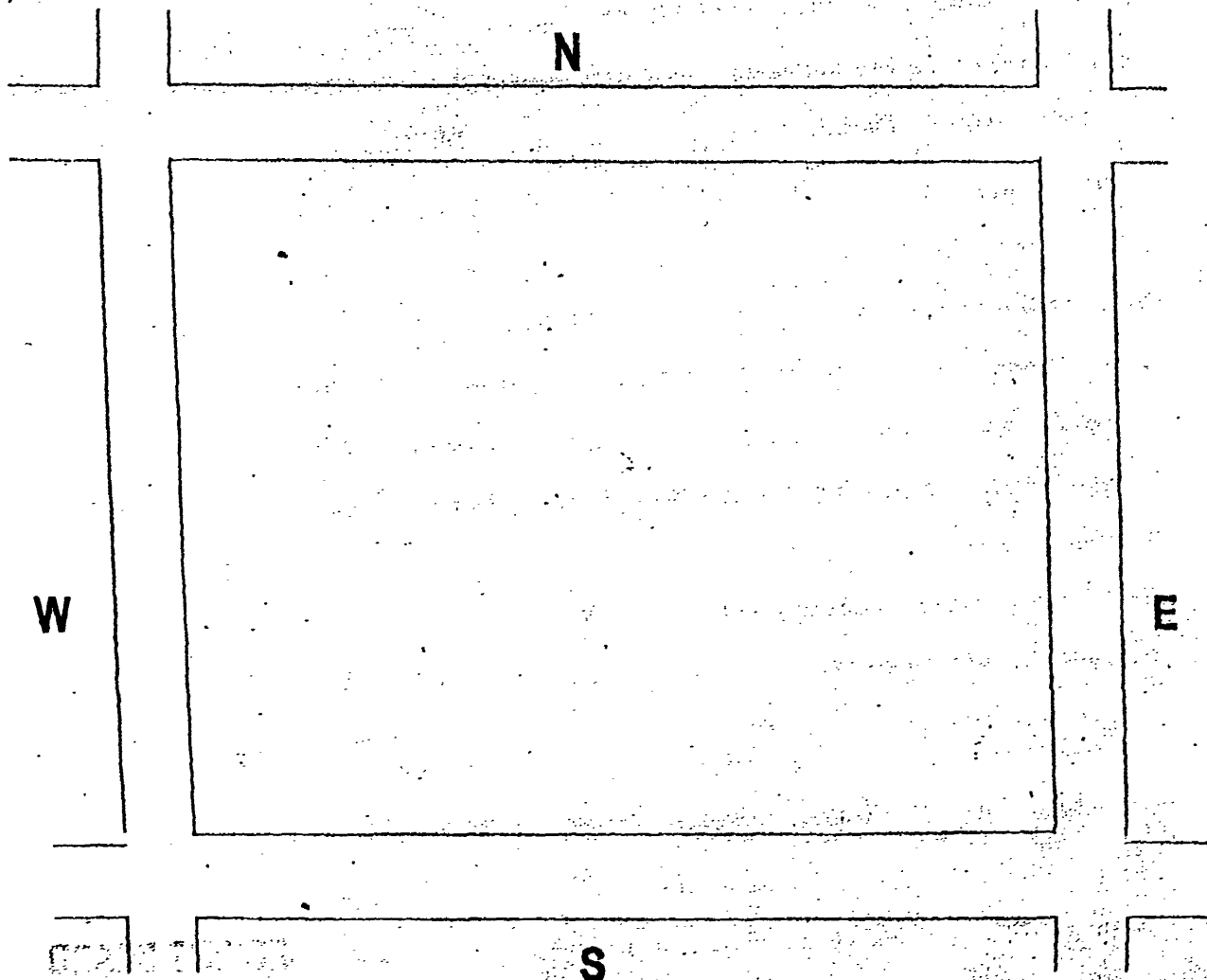
same as above

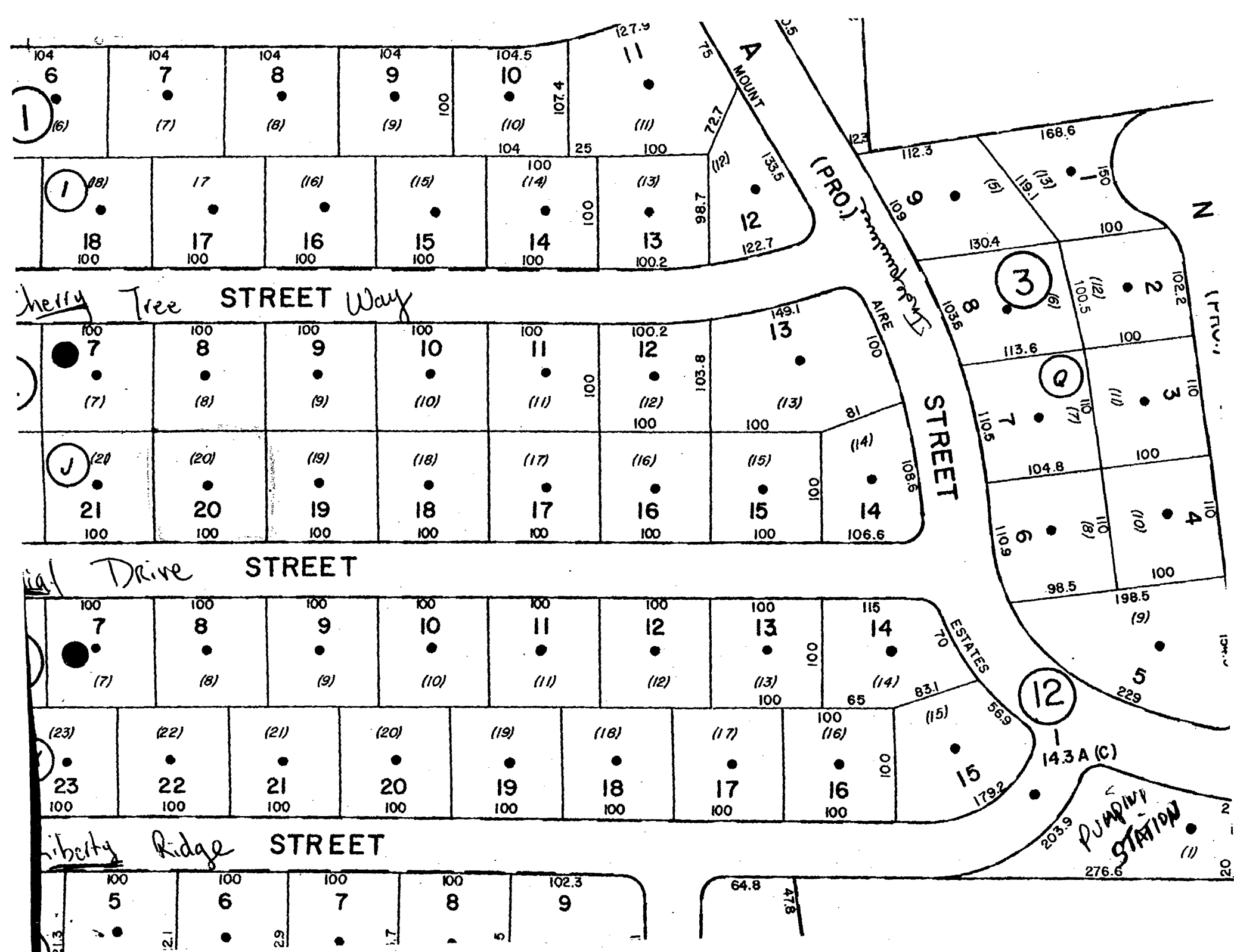
(Owner's Signature)

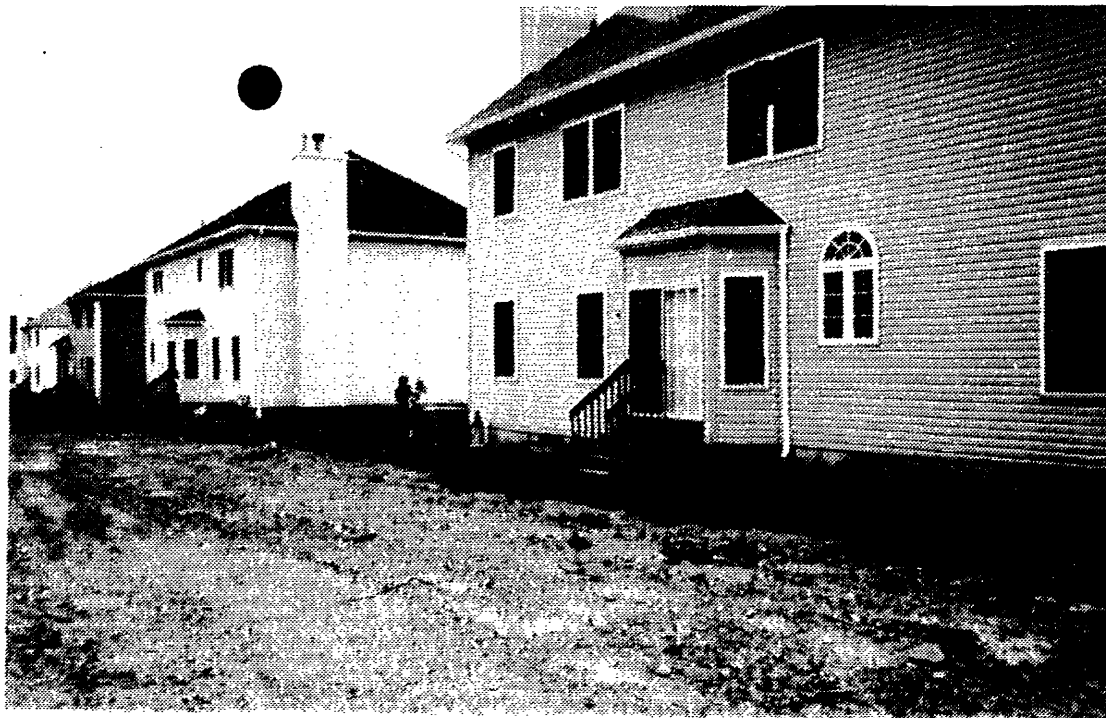
(Owner's Address)

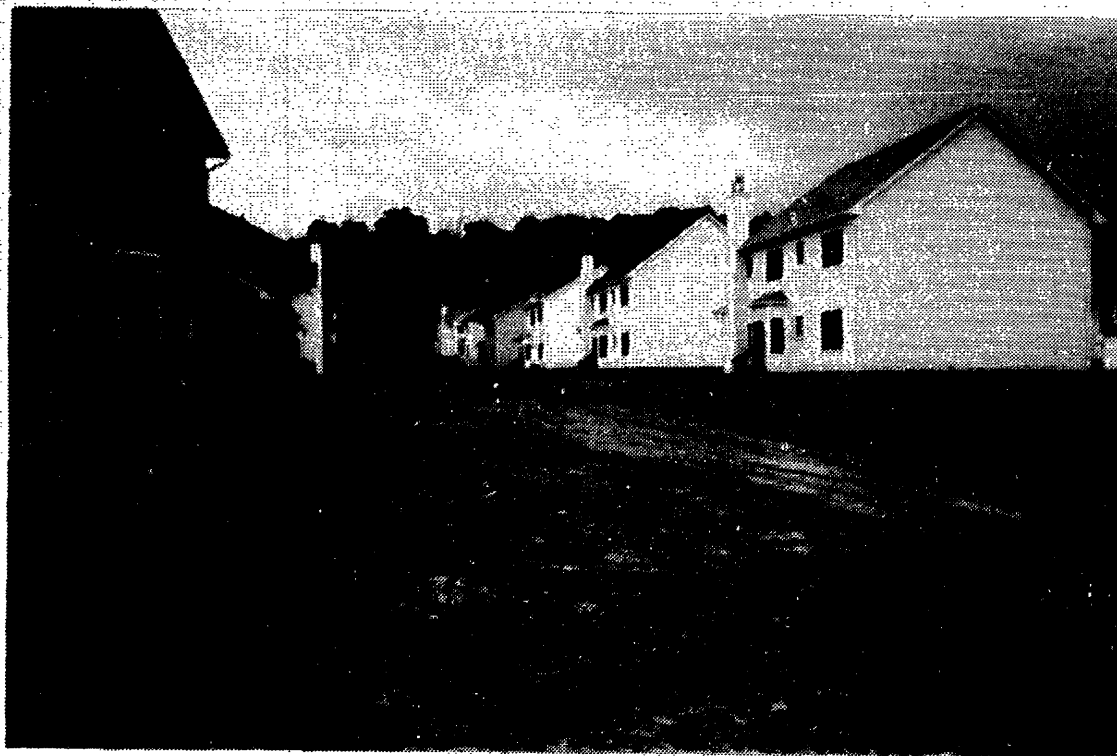
PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.













**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: OCTOBER 18, 2004
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 153.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-49

NAME & ADDRESS:

**John White
2714 Colonial Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.10-18-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-49 TYPE: AREA

APPLICANT Name & Address:

John White
2714 Colonial Drive
New Windsor, NY 12553

TELEPHONE: 567-1418

RESIDENTIAL:	\$ 50.00	CHECK #2494
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK #2495

~ ~ ~ ~ ~

<u>DISBURSEMENTS:</u>		<u>MINUTES</u> <u>\$5.50 / PAGE</u>	<u>ATTORNEY</u> <u>FEE</u>
PRELIMINARY:	<u>7</u> PAGES	\$ <u>38.50</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	<u> </u> PAGES	\$ <u> </u>	\$ <u> </u>
PUBLIC HEARING:	<u>7</u> PAGES	\$ <u>38.50</u>	\$ <u>35.00</u>
PUBLIC HEARING:	<u> </u> PAGES	\$ <u> </u>	\$ <u> </u>

TOTAL: \$ 77.00 \$ 70.00

~ ~ ~ ~ ~

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 147.00

AMOUNT DUE: \$

REFUND DUE: \$ 153.00

Cc:

JOHN WHITE (04-49)

Mr. John White appeared before the board for this proposal.

MR. KANE: Request for 5 ft. rear yard setback for proposed in-ground pool with 4 ft. fence at 2714 Colonial Drive in an R-4 zone. Tell us what you want to do again.

MR. WHITE: We want to put an in-ground pool in the back yard which is only 34 feet in width, given the restrictions with the ten foot barrier there in existence in order for the pool to be 16 feet wide, I requested the five foot variance from the rear yard.

MR. KANE: Cutting down any trees or substantial vegetation in the building of the pool?

MR. WHITE: No.

MR. KANE: Create any water hazards or runoffs?

MR. WHITE: No.

MR. KANE: Any easements in that area?

MR. WHITE: No.

MR. BABCOCK: They're fairly new homes, I have a copy of his survey in the file that does not show any easements in that area.

MR. REIS: Just for the record, to bring the pool closer to the house would make it possibly dangerous, that's why it needs to go back further?

MR. WHITE: I was under the impression that there was no variance given from my own home, I thought my wife told me that she heard that from the building

inspector.

MR. BABCOCK: We want the pool at least ten foot and then based on situations that could, looking at the different houses, we even want sometimes we want more than that, we don't want kids jumping out of the windows into the pools.

MR. KANE: If you look at the back stairs coming out they're as close as you would want to get to the end of the pool.

MR. BABCOCK: When they get close to the house, it happens the kids decide they're going to jump out of windows and it becomes a problem.

MR. REIS: Just for the record.

MR. KANE: At this point, I will open it up to the public and ask if there's anybody here for this particular meeting. We'll close it at this point and ask Myra how many mailings we had.

MS. MASON: On July 27, I mailed out 66 envelopes and had no responses.

MR. KANE: Who's building the pool?

MR. WHITE: Orange County.

MR. KANE: For the record, sir, that's not the Orange County Pools I work for so I cover myself. You're going to be fencing this in?

MR. WHITE: Correct, the whole back yard.

MR. KANE: Four foot self-closing, self-latching?

MR. WHITE: Yes.

MR. KANE: Any lights or illumination that might disturb the neighbors?

MR. WHITE: Just what's there, there's a light currently out the back of the house.

MR. MINUTA: The fence that you're going to be placing on the property, will there be a separation between the rear entrance and the pool itself, in other words, either an alarm if the door opens and there's no gate or a gate?

MR. KANE: No, he has to have a gated fence, a self-closing, self-latching gate between that door and the pool, has to.

MR. MINUTA: So, well, the reason why I ask is because you said you're fencing the entire property.

MR. WHITE: Just the back yard.

MR. MINUTA: To which point?

MR. WHITE: I'm going to come out this way to my property line here, here along back and meet up in the back of the house.

MR. MINUTA: So what's in question--

MR. KANE: Let me qualify my statement, the pool itself is going to be fenced in, have nothing to do with the yard being fenced in, you're going to have a fence for the pool so you need to open the gate and get in there.

MR. WHITE: Actually be two fences. Because I have small children and this way--

MR. KANE: That requirement has nothing to do with your back yard being fenced it.

MR. MINUTA: Just wanted to make sure there's going to be the two fences.

MR. WHITE: Right.

MR. MINUTA: Thank you.

MR. BABCOCK: Mr. Chairman, just so the applicant's aware, you can use back of your house as part of the fence for the pool, as long as the openings in the back of the house are set up for that and the alarm, what Joe's talking about your back door you can have an alarm rather than a self-closer, if the alarm goes off once the door's open, everybody will know that the kids are going out back, so you do have some options there.

MR. KANE: Put up the fence. Any other questions?

MR. RIVERA: What size pool is that?

MR. KANE: 16 x 32. How deep on the deep end?

MR. WHITE: Eight feet.

MR. KANE: Are they putting a main drain?

MR. WHITE: Honestly I don't know.

MR. KANE: Check that out. The main drain is right where it comes in, okay, that's usually where they're talking about where if somebody puts a full force you want an anti-vortex on top of that so doublecheck that.

MR. MINUTA: Is developmental coverage an issue?

MR. KANE: You're going to be putting a cement pad around the 16 x 32 pool, right?

MR. WHITE: Eventually.

MR. KANE: Right, takes a year. Maybe not because--

MR. BABCOCK: That's the, we did that with the last gentleman because of the pool but when I went to get out the code book as far as in the bulk tables for this area, this is so old, this was approved back in 1972, our regulations wouldn't work for anything here. So what I did with the last ones since you gentlemen asked for developmental coverage, there is none on these lots, there just isn't any, so what I did was I took it out of the closest bulk table and used that the last time.

MR. KANE: Is the gravel driveway, is that going to be paved?

MR. WHITE: It is paved.

MR. MINUTA: Just for clarification, with regard to the old subdivision that was there that now that it's been completed and there's a C.O. that does not come into the new zoning code.

MR. BABCOCK: As far as developmental coverage, as far as the zoning if you look at the zoning it will tell you what the developmental coverage for a lot of today's character is, not this lot. This was approved in 1972, I guess, something like that, quarter acre lots so in today's world this lot would be one acre so the developmental coverage is geared to the one acre.

MR. MINUTA: Okay.

MR. BABCOCK: I can do that if you'd like.

MR. KANE: I think we're going to start seeing a lot coming in from this area so maybe that's something that we need to make sure we can cover or ask.

MR. BABCOCK: Just like the setbacks if you look at the

setbacks in this zone, the front yard is 25 feet, that doesn't meet the zoning so now does he need a front yard setback variance too, I mean, the house is already there and it's there by the 1972 code.

MR. MINUTA: There by right and granted a C.O. under that, once the C.O.'s granted and anything else is done after that that would not kick in the new code or new zoning that's really the question here and if it is, I'd like to clear that up.

MR. KANE: The only thing I think we need to maybe not talk about that here with this particular guy because that opens a whole door of things, I mean, if the developmental coverage isn't covered, your front yard, you're talking a whole realm of variances for these people.

MR. BABCOCK: In 1972 when you look at the subdivision plan, there's no listing of developmental coverage on it at all, just didn't do it.

MR. MINUTA: Okay.

MR. KANE: That's something we can discuss outside but not with this application.

MR. MINUTA: Let's do that.

MR. KANE: Any other questions? Motion?

MR. REIS: Make a motion that we grant John White his requested five foot rear yard setback for the proposed inground pool and 4 foot fence at 2714 Colonial Drive.

MR. RIVERA: Second it.

ROLL CALL

MS. LOCEY

AYE

August 9, 2004

36

MR. RIVERA

AYE

MR. REIS

AYE

MR. MINUTA

AYE

MR. KANE

AYE



August 9, 2004

John White

04-49

P.B.#

PROXY

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

CARRIED: Y_____N_____

CARRIED: Y_____N_____

CARRIED: Y N

CARRIED: Y____N____

CARRIED: Y_____ N_____

VARIANCE APPROVED: M) Rs S) L. VOTE: A 5 N 0.

CARRIED: Y ☒ N ☐.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is a double-line border at the top and bottom edges. The paper appears to be from a notebook or a set of legal pads.

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

JOHN WHITE

**AFFIDAVIT OF
SERVICE
BY MAIL**

#04-49

----- X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 27TH day of JULY, 2004, I compared the 66 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

27th day of July, 2004

Cheryl L. Canfield
Notary Public

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
#01CA6073319
Commission Expires April 22, 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

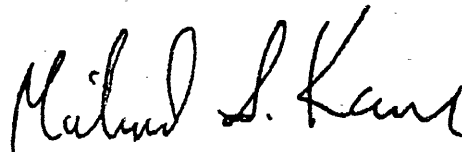
Appeal No. 04-49

Request of JOHN WHITE

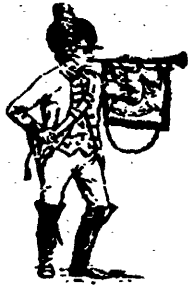
for a VARIANCE of the Zoning Local Law to Permit:

Request for 5 ft. Rear Yard Setback for proposed in-ground pool with 4 ft. fence (48-21-G-1) at 2714 Colonial Drive in an R-3 Zone (77-2-20)

**PUBLIC HEARING will take place on AUGUST 9, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**

A handwritten signature in black ink, reading "Michael S. Kane". The signature is written in a cursive style with a horizontal line underneath the name.

Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

July 2, 2004

John White
2714 Colonial Drive
New Windsor, NY 12553

Re: 77-2-20 ZBA#: 04-49

Dear Mr. White:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

Various parcels in sect's 64 & 77
Mt. Airy Estates
c/o Sarna Enterprises
15 Engle Street – Suite 100
Englewood, NJ 07631

77-1-15
Brian & Maria Lewis
2808 Cherry Tree Way
New Windsor, NY 12553

77-1-19
Donald & Kathleen DeMatteo
2816 Cherry Tree Way
New Windsor, NY 12553

77-2-3
Donald & Paulette Esterlin
2821 Cherry Tree Way
New Windsor, NY 12553

77-2-7
Carmelo & Lydia Taverna
2813 Cherry Tree Way
New Windsor, NY 12553

77-2-10
Matthew & Cheri Elliott
2807 Cherry Tree Way
New Windsor, NY 12553

77-2-13
Larry Frazier
2801 Cherry Tree Way
New Windsor, NY 12553

77-2-17
Christopher & Jennifer Bautista
2708 Colonial Drive
New Windsor, NY 12553

77-2-21
James Hoskin
Kathryn Brown
2716 Colonial Drive
New Windsor, NY 12553

77-2-24
Craig & Valerie Barnes
2722 Colonial Drive
New Windsor, NY 12553

77-1-13
Luis Diaz
Christine Lohrfink Diaz
2804 Cherry Tree Way
New Windsor, NY 12553

77-1-16
Junior Gonsalves
2810 Cherry Tree Way
New Windsor, NY 12553

77-1-20
Eduardo & Elizabeth Guerrero
2818 Cherry Tree Way
New Windsor, NY 12553

77-2-4
Benedetto & Kelly Allegra
2819 Cherry Tree Way
New Windsor, NY 12553

77-2-8
Daniel & Lydia Bonilla
2811 Cherry Tree Way
New Windsor, NY 12553

77-2-11
Antonio & Laura Nastro
2805 Cherry Tree Way
New Windsor, NY 12553

77-2-15
Yves & Barbara Boudreau
2704 Colonial Drive
New Windsor, NY 12553

77-2-18
Laverne Bey
2710 Colonial Drive
New Windsor, NY 12553

77-2-22
Brian & Carole McCue
2718 Colonial Drive
New Windsor, NY 12553

77-2-25
Dion & Joan Edwards
2724 Colonial Drive
New Windsor, NY 12553

77-1-14
Eric & Linda Spisany
2806 Cherry Tree Way
New Windsor, NY 12553

77-1-17
Richard & Josephine Romano
2812 Cherry Tree Way
New Windsor, NY 12553

77-1-22
James Wallace
Stacey Miller
2822 Cherry Tree Way
New Windsor, NY 12553

77-2-5
John & Eva Lee
2817 Cherry Tree Way
New Windsor, NY 12553

77-2-9
Antonio & Maria Tommasi
2809 Cherry Tree Way
New Windsor, NY 12553

77-2-12
Ramon Cardona, Jr.
Ramon Cardona, Sr.
2803 Cherry Tree Way
New Windsor, NY 12553

77-2-16
Maria Stewart
2706 Colonial Drive
New Windsor, NY 12553

77-2-19
New Windsor Development Corp., LLC
16 Microlab Road – Suite A
Livingston, NJ 07039

77-2-23
Emanuel & Anelyn Suazo
2720 Colonial Drive
New Windsor, NY 12553

77-6-3
Elliot Gaztambide
Jennifer Rivera Gaztambide
2723 Colonial Drive
New Windsor, NY 12553

77-6-4

Joseph & Jodi Antonacci
2721 Colonial Drive
New Windsor, NY 12553

77-6-7

Harvey Mathis
Lydia Alvarez
2715 Colonial Drive
New Windsor, NY 12553

77-6-10

Neal & Theresa Iaquina
2709 Colonial Drive
New Windsor, NY 12553

77-6-18

Terry Lee Armstrong, Sr.
Shirlyn Manzano Armstrong
2608 Liberty Ridge
New Windsor, NY 12553

77-6-21

Francisco Soto, Jr.
Cynthia Diaz
2614 Liberty Ridge
New Windsor, NY 12553

77-6-24

Irina Simknovich
2620 Liberty Ridge
New Windsor, NY 12553

77-6-27

Charles Grady
Emily (UX) Smith
2626 Liberty Ridge
New Windsor, NY 12553

77-7-3

Nancy Weber
2621 Liberty Ridge
New Windsor, NY 12553

77-7-6

Kenneth & Annette McTigue
2615 Liberty Ridge
New Windsor, NY 12553

77-7-9

Daniel & Diana Morales
2609 Liberty Ridge
New Windsor, NY 12553

77-6-5

Barry & Joanne Washington
2719 Colonial Drive
New Windsor, NY 12553

77-6-8

Michael & Michelle Thomas
2713 Colonial Drive
New Windsor, NY 12553

77-6-11

Amir & Farida Islam
2707 Colonial Drive
New Windsor, NY 12553

77-6-19

Yelena Lakhman
2610 Liberty Ridge
New Windsor, NY 12553

77-6-22

Jeri & Cheryl Kocik
2616 Liberty Ridge
New Windsor, NY 12553

77-6-25

Joseph & Victoria Pecoraro
2622 Liberty Ridge
New Windsor, NY 12553

77-7-1

Robert & Alma Aponte
2625 Liberty Ridge
New Windsor, NY 12553

77-7-4

Ryan & Lisa Doyle
2619 Liberty Ridge
New Windsor, NY 12553

77-7-7

John & Marilyn Kresevic
2613 Liberty Ridge
New Windsor, NY 12553

77-7-10

German Delgado
Olga Escobar
2502 Constitution Way
New Windsor, NY 12553

77-6-6

Brian & Dianna McLean
2717 Colonial Drive
New Windsor, NY 12553

77-6-9

James Porter
Leo Carmelle Mathelier
2711 Colonial Drive
New Windsor, NY 12553

77-6-12

Dorcas Peralta
2705 Colonial Drive
New Windsor, NY 12553

77-6-20

David & Ellen Olsen
2612 Liberty Ridge
New Windsor, NY 12553

77-6-23

Edward & Regina Davis
2618 Liberty Ridge
New Windsor, NY 12553

77-6-26

Mark Monte
Jocelyn Pacatang
2624 Liberty Ridge
New Windsor, NY 12553

77-7-2

Amunatequi & Ana Rosario
2623 Liberty Ridge
New Windsor, NY 12553

77-7-5

Wilson Ventura
Ana Arino Ventura
2617 Liberty Ridge
New Windsor, NY 12553

77-7-8

Richard & Rose Marie Rose
2611 Liberty Ridge
New Windsor, NY 12553

77-7-11

Sanilda & Patrice Wallace
2504 Constitution Way
New Windsor, NY 12553

77-7-12
Jijy & Susan James
2506 Constitution Way
New Windsor, NY 12553

77-7-13
Edward & Karen Esposito
2508 Constitution Way
New Windsor, NY 12553

77-7-14
Alicio & Michele Valle
2510 Constitution Way
New Windsor, NY 12553

77-7-15
Earl & Latoya Rattray
2512 Constitution Way
New Windsor, NY 12553

77-7-16
Keith Holloway
2514 Constitution Way
New Windsor, NY 12553

77-9-1
Anthony & Tracy Albanese
2301 Pioneer Trail
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

July 27, 2004

John White
2714 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-49

Dear Mr. White:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2714 Colonial Drive
New Windsor, NY

is scheduled for the August 9th, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

JOHN WHITE (04-49)

Mr. John White appeared before the board for this proposal.

MR. KANE: Request for 5 ft. rear yard setback for proposed in-ground pool with 4 ft. fence at 2714 Colonial Drive in an R-3 zone. You heard everything I said before, right, preliminary?

MR. WHITE: Yes. My name is John White. What we'd like to do is we're interested in an in-ground pool 16 foot wide and that would be a problem because of the 10 foot restriction all around from our home and from the rear property and from the side properties as well so I was petitioning for a change to five feet in the rear yard, rear yard is only 34 feet, 10 and 10 on each side, only looking about 14 foot wide.

MR. KANE: This is your house right here, is that what we're looking at this, in this particular--

MR. WHITE: No, no, this is my house here.

MR. MC DONALD: Which one are we looking at?

MR. KANE: If you look on this set of pictures right here that's from the back of his house looking out to the back yard.

MR. MC DONALD: In looking at this plan that you've got here, you've got the property, is this where you want your pool on this end?

MR. WHITE: Yes, sir.

MR. MC DONALD: And you wanted the 10 foot to the fence, what happens to the 58 foot, why can't we move it over and we don't have to go through it?

MR. KANE: Great and obviously without the porch, it's a safety hazard if you would walk out your front door?

MR. LEE: Yes.

MR. KANE: And the porch itself coming out from the front of your house does that make the whole house stick out any closer to the road than other houses on your street?

MR. LEE: No, there's some closer like old Ducktown there's all crazy things there.

MR. KANE: Gentlemen, do you have any other questions?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: Make a motion that we set up Mr. Frank Lee for a public hearing for his requested variance at 12 Lawrence Avenue.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. MINUTA	AYE,

MR. KAEN: Just follow what's on this sheet, you have to come back and do it all over again. Have a good night.

MR. LEE: Thank you very much. Good night.

MR. WHITE: No, we wouldn't because the 10 foot in the back is the problem.

MR. MC DONALD: You're all set on this side?

MR. WHITE: Yeah.

MR. MC DONALD: Every time it seems we get in The Reserve everybody wants to put it on the fence line and then we have acres and acres.

MR. WHITE: I don't want to go out the back door and fall into the pool.

MR. MC DONALD: That's just a question, okay, you answered my question.

MR. MINUTA: Mike, what's the minimum setback to the pool from the house?

MR. KANE: Not from the house, nothing in New Windsor.

MR. BABCOCK: No, there isn't.

MR. MINUTA: It can be as close to the house as you want.

MR. KANE: That's if you that, have it off the back of the house, most of New Windsor I'm not sure in this area is 12 feet for the pool off the property line.

MR. BABCOCK: Here it's 10 foot.

MR. KANE: So 10 foot, Butterhill is 10 foot, this area's obviously 10 foot, the rest of the Town is 12 or a good portion.

MR. BABCOCK: Most of it is 10 foot, wherever there's a restriction that was done differently and it's certain zoning when they built the development, then it

changed.

MR. KANE: Just off the back property line and the sides, nothing, no requirement off the back of the house?

MR. MINUTA: Right, well, with regard to that, if we can bring that closer to the house I see no reason for the setback in this situation.

MR. KANE: Still that's going to be pretty, you only have--

MR. MINUTA: Seven feet away from the house at that point.

MR. KANE: Seven feet from the furthest point of the house, if you look at the kickout where the stairs are coming down that's going to be pretty close to the pool. The other thing you've got to remember putting it that close to the pool something happens to it you've got a problem with the house.

MR. MINUTA: Agreed.

MR. KANE: So for safety issues that I think you should leave it the way it is, personally, plus when they dig out to put an inground, you're getting awfully close.

MR. MINUTA: How would that affect a neighboring yard let's say?

MR. KANE: As far as?

MR. MINUTA: As far as let's say we do have problems with the pool.

MR. KANE: Inground shouldn't be in where they're putting it right there, there shouldn't be a lot, I don't know the drainage in that particular area, but

being close to the house if there's a basement in there, they would have the problem. Anybody else, it's not like an above-ground where you've got 15,000 gallons of water coming out, it will normally seep down through the bottom and go away that way.

MR. MINUTA: Thank you.

MR. KANE: Where the pool's going to go in this general area that's going to have a fence?

MR. WHITE: Of course, four foot, the fence would encompass most likely the entire back yard.

MR. KANE: Cause you're not really private in that back yard so and you realize that if your application is granted that you have to meet all of the building inspector's regulations?

MR. WHITE: Yes.

MR. MC DONALD: Are there easements back there on the property running between the house? Are there any easements, sewer, water, drainage?

MR. KANE: Nothing is showing on the survey.

MR. WHITE: I don't think so.

MR. KANE: Going to sound silly, got to ask you, ask it anyway, no cutting down of trees or substantial shrubbery?

MR. WHITE: No trees there.

MR. KANE: Won't be creating any water hazards or runoffs with the building of this?

MR. WHITE: Not that I know of.

June 28, 2004

10

MR. KANE: And the size of the pool is similar to other in-grounds, it's not extraordinarily big?

MR. WHITE: I don't think so, 16 x 32.

MR. KANE: Average size. Gentlemen, any other questions?

MR. REIS: Mr. White, do you expect to create any deck instead of the existing?

MR. WHITE: I will put a pool deck, concrete or stone.

MR. KANE: Coming off the back of the house you're just going to have the steps right there?

MR. WHITE: I will probably put concrete steps, replace the wooden ones.

MR. KANE: But no deck is going back in that area?

MR. WHITE: No, a deck off the ground you mean?

MR. REIS: Right.

MR. WHITE: No, no, it would be concrete stairs we're envisioning going down to a patio.

MR. KANE: Okay.

MR. WHITE: Not a deck but a patio on the ground inlaid.

MR. REIS: Thank you.

MR. KANE: Any other questions? Motion?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

June 28, 2004

11

MR. REIS: Make a motion that we pass Mr. John White to a public hearing for his requested five foot rear yard setback at 2714 Colonial Drive.

MR. MC DONALD: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. MINUTA	AYE

ZBA # 04-49

Application fee

Town of New Windsor

555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT

#615-2004

06/18/2004

White, John & Nicole
2714 Colonial Drive
New Windsor, NY 12553

Received \$ 50.00 for Zoning Board Fees, on 06/18/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: JUNE 17, 2004

FOR: ESCROW 04-49

FROM: JOHN WHITE

2714 COLONIAL DRIVE

NEW WINDSOR, NY 12553

CHECK NUMBER: 2495

TELEPHONE: 567-1418

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



RESULTS OF Z.B.A. MEETING OF: June 28, 2004

PROJECT: John White

ZBA # 04-49
P.B.#

USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 MINUTA _____
 KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) R_s S) M_c

VOTE: A 5 N 0

RIVERA	A
MCDONALD	A
REIS	A
MINUTA	A
KANE	A

CARRIED: Y ☒ N

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED:

M)_____ S)_____ VOTE: A _____ N _____.

RIVERA _____
MC DONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y_____N_____.

[illegible]



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

June 17, 2004

John White
2714 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-49

Dear Mr. White:

This letter is to inform you that you have been placed on the June 28, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2714 Colonial Drive
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

June 6 2004
Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. **Owner Information:**

John + Nicole White

(Name)

2714 Colonial Drive

(Address)

Phone Number: (845) 567 1418

Fax Number: ()

II. **Applicant:**

John + Nicole White

(Name)

2714 Colonial Drive

(Address)

Phone Number: (845) 567-1418

Fax Number: ()

III. **Forwarding Address, if any, for return of escrow:**

Phone Number: ()

Fax Number: ()

(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:**

Phone Number (845) 567 5777

Fax Number: ()

Orange County Pools

(Name)

275 Windsor Hwy. New Windsor N.Y 12553

(Address)

V. **Property Information:**

Zone: R-3 Property Address in Question: 2714 Colonial Drive

Lot Size: 100 x 100 Tax Map Number: Section 77 Block 2 Lot 20

a. What other zones lie within 500 feet? None

b. Is pending sale or lease subject to ZBA approval of this Application? No

c. When was property purchased by present owner? August 29 2003

d. Has property been subdivided previously? No If so, When:

e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? No

f. Is there any outside storage at the property now or is any proposed? No

****PLEASE NOTE:*****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

04-49

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	10'	5'	5'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The application should be granted because
doing so would not violate any of the considerations used by the
ZBA to make its decision. I fail to see how a built in pool in our
backyard, enclosed by a fence would be a detriment to the health, safety
or welfare of the neighborhood. It would produce no undesirable change
and cannot be achieved through any other process. In addition at only 5th
in the row it is a small request and will not impact the neighborhood
conditions in a negative way but rather, I feel in a positive way.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- _____
- _____

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

7th day of June 2004

Nicole M. White

Owner's Signature (Notarized) DL# 926-233-625

Nicole M. White

exp. 0703-04

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

Owner's Name (Please Print)

Signature and Stamp of Notary

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

04-49



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE: \$ 50.00
*ESCROW: \$300.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE: \$150.00
*ESCROW: \$500.00
**DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

*June 28th
+ July 12th
OK*

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

**

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (*self-sealing envelopes are much appreciated*) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. ***YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.***

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).

John R. White
SIGNATURE

6.6.04
DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)

PAGE 2

COMPLETE THIS PAGE ☐

04-49